

CrI.MP(MD) Nos.15233 of 2025, etc., batch

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

RESERVED ON : 19.06.2026

PRONOUNCED ON : 13.07.2026

CORAM

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CrI.MP(MD) Nos.15233, 15877, 19074 of 2025; 1309 of 2026
in
CrI.A(MD) Nos.1133, 1164, 1305, 1231 of 2025

Alexraj

... Petitioner in
CrI.MP(MD) No.15233/2025

Ravichandran

... Petitioner in
CrI.MP(MD) No.15877/2025

Sathishkumar

... Petitioner in
CrI.MP(MD) No.19074/2025

Ravichandran

... Petitioner in
CrI.MP(MD) No.1309/2026

Vs

The State of Tamilnadu,
Rep. by the Superintendent of Police,
CB CID,
Madurai Town,
Madurai.
Crime No.2/2019

... Respondent
in all petitions



Crl.MP(MD) Nos.15233 of 2025, etc., batch

Common Prayer:- Criminal Miscellaneous Petitions filed under Section 430 of BNSS, 2023 to suspend the sentence imposed on the petitioners in SC.No.289 of 2021, dated 26.09.2025 passed by the learned Judge, V Additional District and Sessions Court, Madurai and enlarge them on bail pending disposal of the appeal.

For Petitioner : Mr.M.Jegadeesh Pandian
in Crl.MP(MD).15233/2025

: Mr.T.Antony Arulraj
in Crl.MP(MD).15877/2025

: Mr.T.Lajapathi Roy,
Senior Counsel
for Mr.M.Mahendran Varman
in Crl.MP(MD).19074/2025

: Mr.N.Ananthapadmanabhan,
Senior Counsel
for M/s.APN Law Associates
in Crl.MP(MD).1309/2026

For Respondent : Mr.A.Robinson
Government Advocate (Crl. side)
(in all petitions)

COMMON ORDER

The petitioners / Accused Nos.1 to 4 in SC.No.289 of 2021 are police officers who have been charged for the offence under Sections 343 and 304(ii) IPC, that they have inflicted custodial violence on an accused



in their custody and caused his death. The IV Additional District and Sessions Court, Madurai, by order dated 26.09.2025, found them guilty, convicted and sentenced to undergo one year rigorous imprisonment with a fine of Rs.2,000/-, in default, to undergo four months simple imprisonment for the offence under Section 343 IPC and to undergo ten years rigorous imprisonment with a fine of Rs.10,000/-, in default, to undergo one year simple imprisonment for the offence under Section 304(ii) IPC. Separate appeals have been filed by the petitioners / A1 to A4 as against the judgment of conviction and sentence and those appeals were admitted by this Court. Along with the appeals, the petitioners have filed these applications for grant of suspension of sentence. Since all the applications are arising out of the conviction in SC.No.289 of 2021, these applications are heard together and are disposed of by way of this common order.

2.The case of the prosecution is that the deceased/ one Muthu Karthick [aged 17 years] was a suspect in a theft case in Crime No.9 of 2019 registered by the S.S.Colony Crime Police Station where the accused persons were working. On 13.01.2019, the deceased was taken

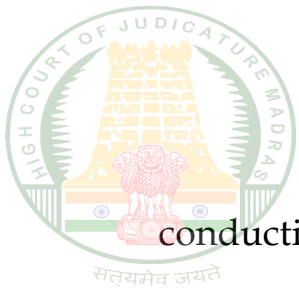


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into custody by the accused police officers and held in custody till

16.01.2019, illegally, by keeping him at three different police stations.

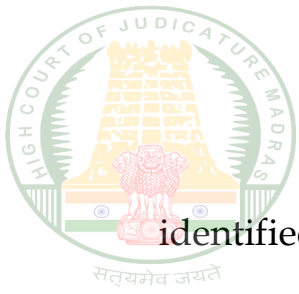
During this illegal custody, the deceased was subjected to custodial torture by the accused persons. As the deceased did not confess to the crime, another case in Crime No.24 of 2019 was registered against him on 16.01.2019 for the offence under Sections 387 and 506(II) of the IPC and the deceased was taken for medical examination to the Government Rajaji Hospital, Madurai at around 06.30 pm. Thereafter, the deceased was produced before the Chairman, Juvenile Justice Board (JM III), Madurai. The deceased was released on bail at around 08.00 pm on 16.01.2019 with a condition to appear before the Juvenile Justice Board on 18.01.2019. At around 10.30 pm, on the very same day, the deceased was admitted at Vijayaraja Speciality Hospital complaining of illness and the deceased was shifted to the Government Rajaji Hospital on 18.01.2019. Thereafter, the deceased took treatment for renal injuries and died due to cardiopulmonary arrest on 24.01.2019 at 10.00 am. The mother of the deceased has lodged a complaint to the S.S.Colony Police Station on 25.01.2019 regarding the same and it was registered as CSR No.53 of 2019. The body of the deceased was handed over to her without



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conducting post mortem, since she has provided a statement that the deceased had died of natural causes.

3. Thereafter, the mother of the deceased has filed WP(MD) No. 5143 of 2019 seeking transfer of investigation to the CB-CID, claiming that her son died due to the injuries caused by the police in their illegal custody. This Court, by its order dated 08.03.2019, directed exhumation and post-mortem of the body of the deceased. Subsequently, the complaint of the mother of the deceased was registered as a case of suspicious death on 09.03.2019 in Crime No.189 of 2019 by the S.S.Colony Police Station. This Court, by its order dated 26.03.2019, transferred the investigation to the CB-CID with a direction to form a team headed by an IPS Officer. Accordingly, the CB-CID, Madurai has taken over the case and registered an FIR in Crime No.2 of 2019 for the above occurrence on 26.04.2019. The post-mortem of the deceased was conducted on 11.03.2019 and as per the post-mortem report, twenty five contusions were found on the body of the deceased and they were sufficient enough to cause his death. Therefore, the provisions were altered to Sections 343 and 304(ii) of the IPC and the petitioners were

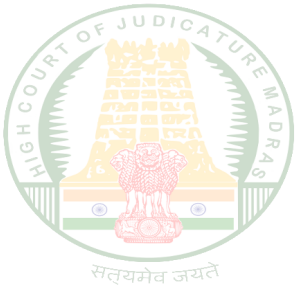


identified as the police officers who had illegally detained and inflicted custodial torture on the deceased.

4.Learned Senior Counsel / Counsel appearing for the petitioners pray that the petitioners be released on bail and their contentions, in support of the same, are summarised hereunder:

(i)The case of the prosecution is circumstantial and they have not established a clear chain of events. The illegal custody of the deceased by the accused persons was not proved and no materials were collected to establish that the accused had assaulted the deceased. Further, even as per the oral dying declaration of the deceased, he was in illegal custody of the accused at four different police stations. However, no police officer in these stations was examined as witness and no CCTV footage was collected to establish the illegal custody.

(ii)The weightage given to the oral dying declaration of the deceased is irrational as it was witnessed by the mother of the deceased and the same is not reliable.



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(iii)The deceased was arrested in connection with Crime No.24 of 2019 on 16.01.2019 and was produced before one Dr.Ramanan (PW57) at the Government Rajaji Hospital, Madurai, by two constables belonging to the S.S.Colony Police Station. The Doctor, after examining the deceased, has issued a certificate that there was no injury on the deceased and the same was marked as Ex.P38. Thereafter, the Chairperson of the Juvenile Justice Board has also examined the deceased through her Assistant and recorded that there was no injuries. However, the deceased was admitted in a private hospital by PW1 and from the private hospital, he was referred to the Government Rajaji Hospital on 18.01.2019. The trial Court, without considering these material facts on the nature of injury, has arrived at a conclusion that there were injuries on the deceased and the same was caused by these petitioners.

(iv)The post-mortem of the deceased was conducted two months after his burial and even as per the post-mortem report, the skin and soft tissues in the body was decomposed. Hence, the findings that twenty five contusions were found on the body of the deceased are not



reliable. Further, the deceased was found to be suffering from Hepatitis

B virus during his treatment and the same can lead to kidney problems.

Therefore, the medical evidence does not support the case of the prosecution.

(v) There are discrepancies in the evidence provided by the witnesses. According to the evidence of one Sri @ Narendran / PW37 who was a friend of the deceased, he was taken to Pandalkudi by the police officers, made a phone call to the deceased who asked them to come to the Second Stop, the phone of the deceased was switched off after the same and they returned to the S.S.Colony Police Station. However, the evidence of the mother of the deceased / PW1 is contradictory to the same and according to her testimony, the deceased was abducted by the Accused on 13.01.2019 with the help of the said Sri @ Narendran. However, the mother of the deceased has also stated that when she went to Pandalkudi to search for the deceased on 15.01.2019, the watchman, namely one Jeyaraman informed her that the deceased had come to work in the morning but did not return in the evening. Therefore, the abduction of the deceased on 13.01.2019 was not



established. Further, the deceased was taken in a Tata Sumo Car as per the prosecution case, but the driver of this car was not examined as witness.

5.Learned Government Advocate (Crl.Side) appearing for the respondent police vehemently opposed the grant of bail to the petitioners. According to him, the accused, who were serving as police officers, have illegally detained the deceased / a juvenile without informing the same to his lawful guardians, registered a false case to justify such detention, inflicted custodial torture on the deceased and caused his death. The prosecution has established unbroken chain of circumstances and proved the guilt of the petitioners beyond reasonable doubt. During the trial, the prosecution has examined 89 witnesses and marked 183 documents and 9 material objects. The case of the prosecution was established by the dying declaration of the deceased, which was witnessed by his mother / PW1 and was accepted by the trial Court under Section 32(1) of the Indian Evidence Act. He further submitted that the post-mortem report had found twenty five contusions on the body of the deceased and the Assistant Professor, Department of



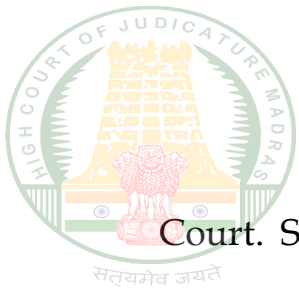
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General Surgery, Madurai Medical College provided a report that the

cause of death of the deceased was “Acute Renal Injury / Assault with Multiple Injuries”. Further, the injuries and swelling on the deceased were observed by his parents and relatives. Therefore, the case of the prosecution is supported by medical evidence.

6.Further, he submitted that the accused / police personnel have misused their authority to prevent the registration of a case regarding the above occurrence and immediate post-mortem of the deceased and attempted to suppress the medico-legal evidence in this case. The petitioners have also violated the mandatory safeguards under the Juvenile Justice Act. According to him, the petitioners are police personnel and if they are released on bail, then they might intimidate the witnesses and interfere with the administration of justice. Therefore, he prayed for dismissal.

7.When these petitions were taken up for hearing, the *defacto complainant* / mother of the victim has filed applications to permit her as a party to this proceedings, as some facts have to be narrated before this



Court. Since this is a case of custodial death of a Juvenile, this Court

permitted and heard Mr.Henry Tipange, learned Counsel for the *defacto* complainant.

8.Learned Counsel appearing for the *defacto* complainant submitted that the accused police officers are habitual offenders and they have faced several disciplinary proceedings. According to him, there are several incriminating materials which shows that the petitioners have illegally detained the son of the *defacto* complainant, inflicted severe custodial torture upon him and it was due to the injuries caused by such torture that the son of the *defacto* complainant passed away. He has made the following contentions in support of the same:

(i)The visible injury marks on the deceased and his torn clothes was observed by the mother of the deceased / PW1 while taking him for a bath on 16.01.2019. Thereafter, he has narrated the illegal detention and custodial torture inflicted on him to his mother. The father of the deceased has provided evidence that his son returned with injuries and was unable to walk properly. Further, the deceased has informed his aunt, one Jeyapratha / PW27 that he went to meet a friend near a tea



stall, that police officers covered his face with a cloth, tied his hands and assaulted him.

(ii)The trial Court found that the Government Rajaji Hospital, Madurai has provided information regarding the death of the *defacto* complainant's son to the S.S.Colony Police Station. However, no first information report was registered regarding the same. Further, the *defacto* complainant was compelled to sign a statement and receive the body without conducting any postmortem. Therefore, the accused, being police personnel have misused their authority and engaged in the planned destruction of evidence. Only after the intervention of this Court, the body was exhumed and post-mortem was conducted.

(iii)The accused have paid Rs.7 lakh to the family of the deceased to avoid legal disputes. However, when the *defacto* complainant pursued legal action, an amount of Rs.5 lakh was taken back and this was evidenced by a receipt (Ex.P8). Therefore, it is clear that the accused have attempted to suppress the issue by paying off the family of the deceased.

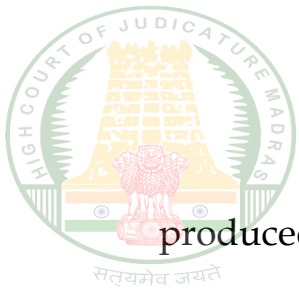


9.In addition, according to him, the medical evidence shows

that the deceased was treated for Rhabdomyolysis and Acute Renal Failure, which can be caused due to severe torture and beatings. He has placed certain materials and medical literature in support of the same before this Court. Hence, he prayed for dismissal of these petitions.

10.Heard the submissions made by the learned Counsel appearing for the respective parties.

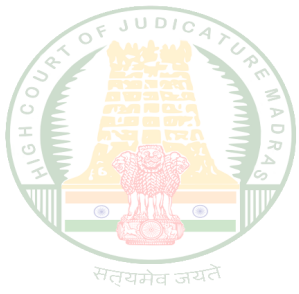
11.The *defacto* complainant's son, one Muthu Karthick, aged 17, died in the Government Rajaji Hospital on 24.01.2019. Prior to that, he was a suspect in a theft case registered as Crime No.9 of 2019 on 04.01.2019 which was being investigated by the Accused police officers. He was taken into custody by the Accused police officers on 13.01.2019. However, he was sent to the Juvenile Justice Board on 16.01.2019 for being remanded to judicial custody in connection with another FIR in Crime No.24 of 2019 on the allegation that he has threatened and extorted Rs.300/- from one Muthukumar at knife point. The S.S.Colony Police before producing the deceased to the Juvenile Justice Board have



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produced him for pre-remand medical examination to the Government Rajaji Hospital, Madurai. The Doctor, after examining the deceased, has issued a certificate that there was no injury on the deceased. Thereafter, he was produced before the Juvenile Justice Board around 07.55 pm on 16.01.2019. The Chairperson of the Juvenile Justice Board has examined the deceased through her Assistant, one Karthick as to whether he suffered any injury and recorded that he was not having any injury. He was released on bail by the Chairperson of the Juvenile Justice Board at around 08.00 pm on the same day.

12. Barely two hours after the deceased was released on bail, he was admitted in a private hospital complaining of illness and vomiting. Thereafter, the deceased was referred to the Government Rajaji Hospital, Madurai. As per the referral letter, the deceased was admitted complaining of assault by police officers and was being referred for emergency Hemodialysis. The Government Doctor (PW56) has admitted the deceased in the Government Hospital on 18.01.2019 and recorded in the Accident Register (Ex.P35) that he was assaulted by four known persons using sticks, hands and legs.



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13.In the meantime, PW1, the mother of the deceased, appeared before the Juvenile Justice Board on 18.01.2019 at 02.00 pm and informed the Chairperson of the Juvenile Justice Board that her son was subjected to custodial torture and that her son is in a serious condition. The Chairperson of the Juvenile Justice Board (PW74) has stated during her examination that she was also showed a video of the injuries on the body of the deceased by one of the relatives of the deceased. The Chairperson suggested the mother of the deceased to put the same in writing and a complaint was preferred with the assistance of a Counsel in the Board. Based on the same, the Chairperson directed the Probation Officer, one Clement (PW46) to ascertain whether the deceased / juvenile has suffered any injuries. The Chairperson also addressed a letter to the Dean of the Government Rajaji Hospital, Madurai, as to why the injuries have not been noted in the pre-remand medical examination.

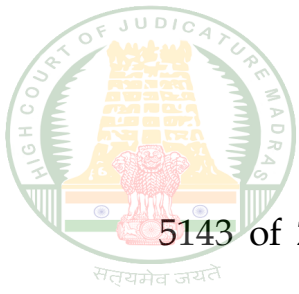
14.Pursuant to the directions of the Chairperson of the Juvenile Justice Board, the Probation Officer has examined the deceased on 19.01.2019 and saw visible injuries all over the body of the deceased. Further, he also examined the mother of the deceased and submitted a



report [Ex.P15] on 22.01.2019 to the Board that the deceased had visible injuries over several parts of his body.

15.In the meantime, the Juvenile, Muthu Karthick, died in the Government Rajaji hospital, Madurai on 24.01.2019. The death intimation was given by the Government Rajaji Hospital to the S.S.Colony Police Station. However, the police did not register any first information report regarding the death of the deceased and one Kannan, Sub-Inspector of Police (PW80) has instead registered the same as CSR No.53 of 2019 on 25.01.2019. The same was also not acted upon, based on the letter of PW1 that she is withdrawing her complaint. It appears that the parents have received the dead body, by giving a statement that it was a natural death and the body was buried.

16.Thereafter, the mother of the deceased has approached this Court by filing WP(MD).5143 of 2019 seeking transfer of investigation and that the death of her son was caused due to custodial torture inflicted by the Accused police officers. The body of the deceased was exhumed on 08.03.2019, pursuant to the orders of this Court in WP(MD).



5143 of 2019. This Court came down heavily as against the manner in which the police dealt this case, transferred the investigation to CB-CID and also monitored the investigation. The Doctors who conducted the postmortem found that there 25 ante-mortem injuries on the body of the deceased.

17. Thereafter, the CB-CID has filed the final report as against the petitioners and the trial Court by its judgment dated 26.09.2025 has found them guilty, convicted and sentenced them as stated supra. Challenging the same, the petitioners have filed criminal appeals and filed the instant petitions seeking suspension of sentence.

18. This Court paid its anxious considerations to the submissions and also to the materials placed on record.

19. A 17 year old juvenile was done to death. His death was not natural and the post-mortem conducted after exhumation revealed as many as twenty five ante-mortem injuries on his body. The deceased appears to have died due to custodial torture inflicted on him during



police custody. But there is no direct evidence and the case revolves on the following chain of circumstances which were projected and appraised by the police and the trial Court as showing that the petitioners had inflicted custodial torture on the deceased:

(1)The Accused No.1 [Inspector of Police], Accused No.2 [Special Sub-Inspector of Police], Accused No.3 [Head Constable] and Accused No.4 [Police Constable Grade-I], attached to the Crime Branch of the S.S.Colony Police Station, were investigating a theft case registered in Crime No.9 of 2019 on 04.01.2019. The Sub-Inspector of Police (PW61) who registered the FIR in Crime No.9 of 2019 has stated that the investigation into the case was being carried out by Accused No.1.

(2)The Case Diary File of Crime No.9 of 2019 [marked as Ex.P.174] also shows the investigation into this case was being carried out by the Accused. As per the daily remarks on 07.01.2019, the deceased along with ten others were called for enquiry regarding the theft to the S.S.Colony Police Station and

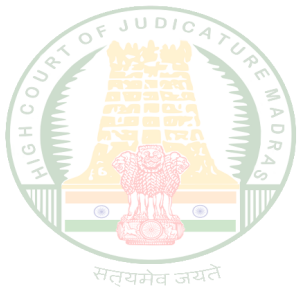


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the deceased was heavily suspected as being involved in the theft. Therefore, Accused No.1 has sent a requisition for the Call Data Records of the deceased and also taken one Sri @ Narendran / PW37, a friend of the deceased into custody.

(3) Further, one of the relatives of the deceased (PW3) has stated that four policemen were enquiring into the above theft case on 03.01.2019 and that they conducted a search in the house of the deceased on 13.01.2019.

(4) The Accused police personnel have arrested the deceased from Pandalkudi and the same was elicited through the testimony of PW37 that the police have taken him to Pandalkudi to search for the deceased and have made him to call the deceased on his mobile phone. Further, as per Ex.P.174 [Case Diary File in Crime No.9 of 2019], they have taken PW37 to Pandalkudi on the evening of 13.01.2019 in a Tata Sumo Car to search for the deceased at his place of work.



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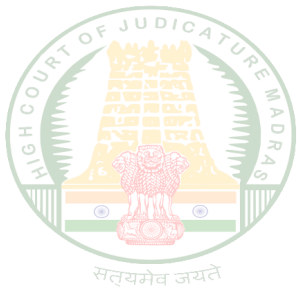
(5)As per the Call Data Records of the deceased [marked as Ex.P103], PW37 called the deceased on the evening of 13.01.2019, when the accused officials and PW37 were in Pandalkudi and at that time, the tower location of the deceased is shown as Arupukottai. Thereafter, the deceased has called his mother on 15.01.2019 and 16.01.2019 and his tower location is shown as Madurai-16 which is within the jurisdiction of the S.S.Colony PS. The Call Data Records of the Accused confirms that they were also in Madurai during the relevant period.

(6)The deceased had been taken into police custody in connection with Crime No.9 of 2019 on 13.01.2019 and was in illegal custody of the Accused. He was ultimately remanded in connection with another case in Crime No.24 of 2019 on 16.01.2019 as if he has extorted a sum of Rs.300/- from one Muthukumar. The Sub-Inspector of Police who registered the case has stated that the case was registered on the instructions of Accused No.1 and that he remanded the deceased as per the



instructions of Accused No.1. Curiously, the Sub-Inspector of Police (PW61), who has remanded the deceased, has been shown as a witness.

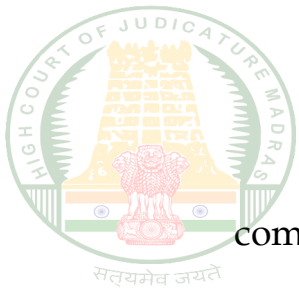
(7)The S.S.Colony Police before producing the deceased to the Juvenile Justice Board have produced him before one Dr.Ramanan (PW57), the Chief Medical Officer at the Government Rajaji Hospital, Madurai, for pre-remand medical examination at 06.30 pm. This Doctor, after examining the deceased, has issued a certificate that there was no injury on the deceased and the same was marked as Ex.P38. Thereafter, he was produced before the Juvenile Justice Board around 07.55 pm on 16.01.2019. The Chairperson of the Juvenile Justice Board has examined the deceased through her Assistant, one Karthick as to whether he suffered any injury. The Assistant has recorded that he was not having any injury. He was released on bail by the Chairperson of the Juvenile Justice Board at around 08.00 pm on the same day.



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(8)After being released, the deceased has informed his mother (PW1), his father (PW2) and other relatives that PW37 called him to Pandalkudi, that he was abducted by the Accused and that they have kept him in illegal custody and inflicted custodial torture on him. The deceased has also specifically named the accused police officers in his statements to his mother. These statements were admitted as oral dying declaration under Section 32(1) of the Indian Evidence Act by the trial Court. The mother and father of the deceased had also noticed the injuries on his body.

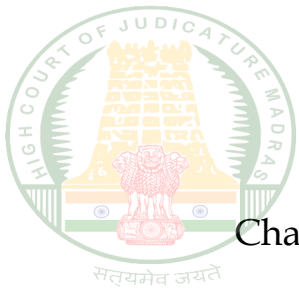
(9)Within two hours after the deceased was released on bail, he was admitted in a private hospital complaining of illness and vomiting. The deceased was admitted at the private hospital of one Dr.Vijayaraj (PW51) and they have treated the deceased from 16.01.2019 to 18.01.2019. Thereafter, the deceased was referred to the Government Rajaji Hospital, Madurai. As per the referral letter, the deceased was admitted



complainining of assault by police officers and was being referred
for emergency Hemodialysis.

(10)The Government Doctor (PW56) has admitted the deceased in the Government Hospital on 18.01.2019 and recorded in the Accident Register (Ex.P35) that he was assaulted by four known persons using sticks, hands and legs. Since he was reported with kidney failure, he was referred to one Dr.Jegan, Nephrologist (PW55) for further treatment. This Doctor has noted that both the legs of the deceased were swollen and provided further treatment.

(11)In the meantime, PW1, the mother of the deceased, appeared before the Juvenile Justice Board on 18.01.2019 at 02.00 pm and informed the Chairperson of the Juvenile Justice Board that her son was subjected to custodial torture and that her son is in a serious condition. The Chairperson (PW74) was also shown a video of the injuries on the body of the deceased by one of the relatives of the deceased. Thereafter, the



Chairperson directed the Probation Officer, one Clement (PW46) to ascertain whether the deceased / juvenile has suffered any injuries and also addressed a letter to the Dean of the Government Rajaji Hospital, Madurai, as to why the injuries have not been noted in the pre-remand medical examination.

(12)The Probation Officer has examined the deceased on 19.01.2019 and saw visible injuries all over the body of the deceased. Further, he also examined the mother of the deceased and submitted a report [Ex.P15] on 22.01.2019 to the Board that the deceased had visible injuries over several parts of his body.

(13)The deceased was admitted in the hospital with injuries on 18.01.2019 that he was assaulted by four known persons. The same was intimated by the Government Hospital to the Police Outpost at the Government Rajaji Hospital. However, no enquiry was conducted on the same and no statement was obtained from the deceased. In the meantime, the Juvenile, Muthu Karthick, died in the hospital on

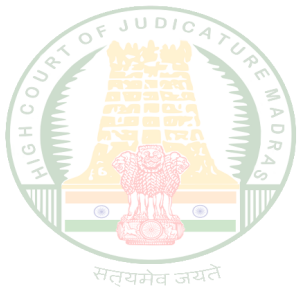


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24.01.2019. The death intimation was given by the Government Rajaji Hospital to the S.S.Colony Police Station. However, the police did not register any first information report regarding the death of the deceased and one Kannan, Sub-Inspector of Police (PW80) has instead registered the same as CSR No.53 of 2019 on 25.01.2019. The same was also not acted upon, based on the letter of PW1 that she is withdrawing her complaint.

(14) Thereafter, the parents have received the body of the deceased, by giving a statement that it was a natural death and the body was buried. However, the post-mortem of the deceased which was carried out on 08.03.2019 found that there were 25 ante-mortem injuries on the body of the deceased.

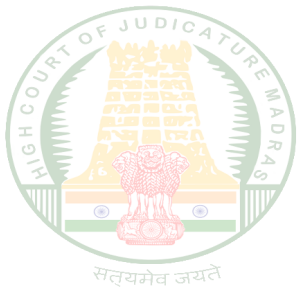
(15) The accused have paid Rs.7 lakh to the family of the deceased to avoid legal disputes. However, when the *defacto* complainant pursued legal action, an amount of Rs.5 lakh was taken back and this was evidenced by a receipt (Ex.P8) which was signed by PW3, a relative of the deceased.



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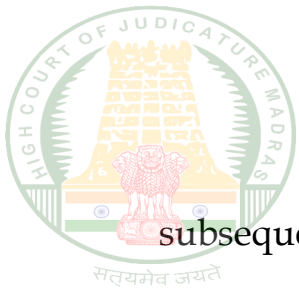
20.This Court is of the opinion that the sequence of events commencing from the registration of the FIR in the theft case in Crime No.9 of 2019 on 04.01.2019 and culminating in the death of the juvenile on 24.01.2019 constitutes an unbroken chain of circumstances, which, *prima facie*, supports the findings recorded by the trial Court that the accused have inflicted custodial torture on the deceased and caused his death. Though there is no direct eyewitness to the custodial assault, the prosecution case rests upon a series of circumstances which have been accepted by the trial Court after appreciation of both oral and documentary evidence.

21.This Court is of the considered view that there are no grounds to hold that the findings recorded by the trial Court are so infirm as to warrant suspension of the sentence pending disposal of the appeal. Having regard to the gravity of the offence, the nature of the evidence available on record, the unbroken chain of circumstances, and the findings recorded by the trial Court, this Court is not satisfied that the petitioners have made out a case for suspension of sentence pending disposal of the appeal. Accordingly, these petitions stand dismissed.



WEB COPY 22. Before parting with the matter, this Court considers it necessary to advert to certain disturbing features that emerge from the evidence on record. These aspects are not referred to for deciding the prayer for suspension of sentence, which has already been rejected on its own merits. However, they disclose serious systemic and institutional lapses which cannot escape judicial notice, particularly when the victim was a child.

23. The materials placed before this Court reveal serious deficiencies in the manner in which the medical system responded to the incident. The deceased was subjected to a pre-remand medical examination hardly a few hours before he required emergency hospitalisation. Such examination is a vital safeguard to ensure that any pre-existing injuries or allegations of ill-treatment is detected, recorded, and acted upon before the juvenile is committed to institutional custody. Yet, the Government Doctor who conducted the medical examination has certified that there were no injuries whatsoever on his body. Within a short span thereafter, he was admitted in a private hospital and



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subsequently referred to the Government Rajaji Hospital with allegations of assault by police officers and acute renal failure requiring emergency haemodialysis. The discrepancy between the pre-remand medical certificate and the subsequent medical records is striking. It is also disturbing that the body came to be released by the Government Hospital without even conducting a post-mortem, despite the circumstances surrounding the death of a juvenile who had been in police custody before his hospitalisation and was allegedly assaulted by police officers.

24.It is also concerning that the safeguards contemplated under the juvenile justice framework failed to operate effectively in this case. The deceased was not an ordinary adult-accused but a child in conflict with the law, in respect of whom every statutory authority concerned was expected to exercise a heightened degree of care and vigilance. The mother of the deceased has approached the Juvenile Justice Board alleging custodial torture. Acting on the directions of the Board, the Probation Officer visited the deceased on 19.01.2019, noticed visible injuries all over his body and submitted a report on 22.01.2019. Despite



these developments, no effective action appears to have been taken by

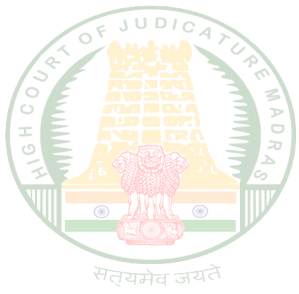
the Chairman of the Juvenile Justice Board. Even after the death of the juvenile on 24.01.2019, the complaint of the mother was not registered as a First Information Report, no meaningful enquiry was undertaken, the body was released without conducting a post-mortem, and the complaint itself was treated as withdrawn. It was only pursuant to the intervention of this Court in WP(MD)No.5143 of 2019 that the body was exhumed nearly two months later, when the post-mortem disclosed twenty five ante-mortem injuries.

25.The available materials creates a disturbing impression that every possible effort was made by the Police machinery to avoid institutional accountability. The trial Court has noticed attempts to destroy the medico-legal evidence in this case. Though only four police personnel have been prosecuted and convicted, the evidence discloses the involvement of several other officials whose conduct also calls for scrutiny. Premchandran (PW61), who registered both Crime No.9 of 2019 and Crime No.24 of 2019 against the deceased, has merely been examined as a prosecution witness. Though the prosecution alleges that



these cases were foisted, no investigation appears to have been

undertaken into the circumstances under which they came to be registered. The hospital had intimated both the injuries sustained by the deceased and, subsequently, his death to the police. Yet, no statement was recorded from the deceased, no enquiry was undertaken, and no First Information Report was registered regarding the same. Instead, the complaint of the mother was reduced to a mere CSR entry and later closed on the strength of a statement said to have been obtained from her withdrawing the complaint. Significantly, it was only after this Court directed exhumation of the body on 08.03.2019 that the very same complaint came to be registered as a First Information Report on the very next day. Equally inexplicable is the conduct of PW80 who has facilitated the release of the deceased's body without conducting any post-mortem and has also provided a request letter to the Hospital on 26.01.2019 that the *defacto* complainant can be allowed to receive the body of the deceased and the Hospital is not responsible for the same. This letter has been marked as Ex.P40. Despite these circumstances, he too has been examined only as a prosecution witness.



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26.Had the pre-remand medical examination been conducted with the degree of care expected from a medical professional; had the Juvenile Justice Board personally examined the child and acted promptly upon the complaint of the mother and the report of the Probation Officer; or had the police discharged their statutory obligations by registering the information regarding the injuries and the subsequent death in accordance with law, the course of events might have been altogether different. The present case, therefore, reflects not merely isolated lapses on the part of individual officers but a serious institutional failure at multiple levels.

27.This Court is not recording any finding of criminal liability against the officials referred to above, as that issue does not arise for consideration in these proceedings. Nevertheless, the evidence brought on record discloses *prima facie* dereliction of statutory duties on the part of several functionaries. The gravest threat to the rule of law is not merely dereliction from duty and abuse of power, but it is the belief that such acts will have no consequences. It is for the respective institutional heads concerned to examine the conduct of the officials concerned, fix



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responsibility in accordance with law and initiate such departmental or other proceedings as may be warranted.

28.Custodial violence rarely results from the acts of a single individual. More often than not, it is enabled by successive institutional failures. Unless accountability is ensured at every level, the prosecution of a few individuals alone will neither address the root cause nor prevent the recurrence of such tragic incidents.

With the above observations, these petitions are dismissed.

Index : Yes / No
NCC : Yes / No
gk

13.07.2026

Note:

Mark a copy of this order to

1. The Chief Secretary to Government,
State of Tamil Nadu,
Secretariat, Chennai.
2. The Secretary to Government,
Home Department,
State of Tamil Nadu,
Secretariat, Chennai.



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3. The Secretary to Government,
Health and Family Welfare Department,
State of Tamil Nadu,
Secretariat, Chennai.

4. The Director General of Police [HoPF],
Chennai.

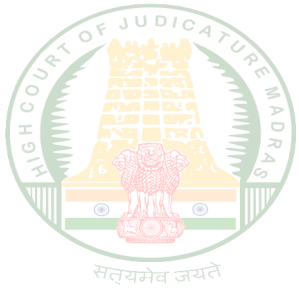
5. The Registrar General,
Madras High Court,
Chennai.

To

1.The Judge,
V Additional District and Sessions Court,
Madurai.

2.The Superintendent of Police,
CB CID,
Madurai Town,
Madurai.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.,

gk

Crl.MP(MD) Nos.15233, 15877, 19074 of 2025; 1309 of 2026
in
Crl.A(MD) Nos.1133, 1164, 1305, 1231 of 2025

13.07.2026